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Jurors in Rewald Case Describe Deliberations Leading to Verdict

By Charles Memminger
Star-Bulletin Writer

Sitting as a juror through a trial like the 11-week Ronald Rewald case was "sort of like owning a convertible," jury foreman Walter Johnson Jr. said yesterday.

"Everybody should do it once, but once is enough," Johnson said.

The five-woman and seven-man jury needed only 2½ days to reach a verdict on the 98 counts facing Rewald. The jurors interviewed as they left federal court yesterday indicated that once they discounted Rewald's claim of substantial CIA involvement in his company, the deliberations went quickly.

"First we decided all the hard problems," said juror Brian Walczak. "Once we solved them, we just went through the charges."

A vote after the first hour of discussions on Thursday afternoon showed about seven jurors in favor of conviction and the rest undecided, according to Walczak.

Government attorneys specu-

lated on Friday that the jury might be moving quickly because it came back to court that afternoon with questions about counts in the 80s and 90s.

"We worked through generally from beginning to end," said Johnson, a charterboat skipper and former military judge. "Those we wanted more discussion on we skipped and came back and picked up later."

THERE WAS substantial discussion on the perjury charges, related to Rewald's claim that the CIA set up and ran his company and that the CIA had supplied him with fake Marquette University diplomas as part of his alleged "cover."

"We looked at it (the CIA defense) from all angles and decided to discredit most of it," Johnson said. "There was no evidence to support it."

"As far as the record showed, it (the CIA) was a very light connection," said Edison Ubaldo.

"The CIA connection would have helped him for the perjury (counts), but I don't think it matters in any of the other

charges," Walczak said.

He said jurors thought the CIA connection to Rewald was "bigger than the government was trying to make it but smaller than the defense tried to make it."

Johnson said he believed the three CIA field-office chiefs who testified during the trial that Rewald provided only light cover and telephone "backstopping" for the agency.

"There might have been one or two points they hedged on," Johnson said. "But the overall impression I got was that they told the truth."

HE SAID HE didn't believe there was any evidence to support Rewald's claim that his company was in the middle of a clandestine \$10 million military-arms deal at the time of the collapse.

"It never really came up," Johnson said. "It kept being alluded to, there was never any evidence brought out to confirm or deny the arms deal."

Johnson said he also was not affected by the fact that Rewald



Brian Walczak
Rewald juror

did not take the stand.

"Didn't make no particular difference to me," he said.

As for the four counts on which Rewald was acquitted, Walczak explained: "They made the mistake of bringing those people (the four investor witnesses) in at the beginning of the trial and we couldn't even remember if they showed up."

CIA's Relationship with Rewald Fuels Controversy

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after the verdict was returned. "My answer is no. I don't know what the whole story is . . . but certainly, the fact that much of the evidence was ruled out would indicate that there was something else."

WITH IT MORE or less accepted by defense attorneys that Rewald would be found guilty, plans already were being made for the appeal. Tamanaha and Levine would not say specifically, however, what the appeal issues are.

"The primary focus of the appeal will be based on the CIPA (Classified Information and Procedures Act) proceedings,"

Tamanaha said. He said the 2-year-old act, which dictates how trials proceed in which classified information is used, had never reached the trial stage before the Rewald case.

It was during the months of closed CIPA hearings that Fong made his decisions about what CIA documents and testimony would be allowed during trial. By the time trial began, all of the CIPA issues were supposed to have been settled.

Nevertheless, the courtroom often was disrupted by arguments between attorneys and the judge about what documents should be presented to witnesses. The tense situation culmi-

nated in Fong's notice that Levine and Tamanaha would face contempt of court hearings at the conclusion of the trial. That prompted emotional pleas by Levine to be removed from the case, saying he had been ineffective as Rewald's attorney.

YESTERDAY, LEVINE said that Rewald still may appeal to the 9th U.S. Circuit Court of Appeals based on the "ineffective counsel" theory.

Asked if he thought he had been ineffective, Levine said, "We could have well used the services of an attorney versed in the Classified Information and Procedures Act. We could have well used and sorely missed the

services of Brent Carruth."

Carruth is a California attorney who represented a Virginia man in a federal spy case last year. After a federal judge ruled certain documents admissible in that case, the government appealed, stopping the case from going to trial. Carruth then attempted to join Rewald's defense team but was barred from doing so because of a conflict of interest.

Although Levine says he could have used Carruth, he also praised Tamanaha's work in the Rewald case.

"HE DID THE BULK of the CIA work and I think he did an excellent job," Levine said.